3C tion Of Zamindari

Page

.. Abolition of Zamindari and New Rights for Peasantry 1

2. Safeguards against Re-emergence of Zamindari and Other Dangers 13

3. Corollaries to Abolition of Zamindari: .. 15

   (i) Land Management Powers for Gaon Panchayats 16

   (ii) Collection of Land Revenue 19

   (iii) Reorganization of Patwaris' Service .. 24

   (iv) Land Records Correction Drive .. 32

   (v) Consolidation of Holdings 34

4. Benefits of Land Reforms: 40

5. Criticism Answered 42

   (i) Right of Resumption 43

   (ii) Prohibition of Leases 45

   (iii) Abolition or Reduction of Land Revenue .. 47

   (iv) Land Redistribution.. 51

= ABOLITION OF ZAMINDARI

ABOLITION OF ZAMINDARI AND NEW RIGHTS FOR PEASANTRY

Living creates wants which can be satisfied only by use and consumption of goods, collectively called wealth. Wealth is ultimately derived from land. Raw materials must be produced before they can be processed and distributed, and food which, day by day, is necessary to life is mostly obtained from land. Exploitation of land, or agriculture in the narrower sense, is thus obviously the primary and basic industry. Manufacture and commerce, however important they may be in the economy of a country, must of necessity occupy a secondary place.

While land suffers from the limitation that it cannot be increased by any effort that man may make, it has the supreme advantage of becoming better and better by proper use. All other forms of capital, houses, factories, locomotives, battleships, etc., deteriorate or disintegrate and are ultimately destroyed, howsoever carefully they may be used, but land never. It is this inexhaustibility of land that gives those directly engaged in working it a feeling of security which no other means of occupation can offer. Land never disillusions a man completely : the hope of plenty in the future always remains, and is not infrequently realized.

Obviously enough, the prosperity of a country depends in the ultimate analysis on how efficiently it exploits and, at the same time, conserve this free gift of God or Nature. Not only that : the form of society or civilization that a country hopes to develop will be influenced by the manner of its exploitation of the land, its land-tenure, *viz.*, the system of legal rights which defines the relations between a land worker and the soil on one hand and amongst the land workers *inter se* or between them and the State on the other. "Measures of Land Reform", observes the Planning Commission, "have a place of special significance, both because they provide the social, economic and institutional framework for agricultural development and because of the influence they exert on the life of the vast majority of the population. Indeed, their impact extends much beyond the rural economy. This is specially true of those countries like China, Turkey, Rumania, Yugoslavia, India and the U. S. S. R., where large percentages of population, *viz.*, 73, 72, 72, 70, 70 and 57 respectively, earn their living by directly working on the soil. Within India itself, the figure for the State of Uttar Pradesh (including 1.05 per cent of ex-intermediaries who lived hitherto on agricultural rent) stands at 74.2.

India inherited from the British a feudal or landlord-tenant system called Zamindari, under which ownership of land was concentrated in the hands of a few, while the vast majority who worked day and night on the land were mere tenants. The growth and development of democratc institutions are related to the amount of income within a nation and its distribution. In an under-developed country like India, income directly derived from land is the chief source of wealth and ownership of land the prevailing standard of status. Land reform, therefore, is one of the economic organizational changes that was needed before an overall programme of social reconstruction could be contemplated, before a more productive economy could be built up, before, in fact, we could dream of making democracy a success.

Landlords performed no ecomonic functions: the lands which were tilled by the tenants would not produce less if the landlords disappeared. They rendered no service in return for the rent they received and were, in the truest sense of the term, parasites or "drones doing no good in the public hive".

With honourable exceptions, the big, non-cultivating land-owners passed their lives in luxurious pursuits, mis-spending the money they got without earning. They were none too ennobling examples to their countrymen and thus contributed to lowering of the national character.

That man alone is truly happy who is not subservient to another in the economic sphere. Under the Zamindari system, however, the tenant was not free : somebody else was the owner of the patch of land on which he toiled along with members of his family. There was no property he could cherish, and he was liable to ejectment, in many cases at the sweet will of the zamindar. Nor could he claim social equality with the latter, for, status in the village was determined by rights in land.

Agricultural data from all over the world show that farm tenancy reduces output. The abolition of landlordism was not, therefore, just a matter of social justice to peasants : if agricultural production was to be increased, if the peasant's energetic participation in the country's economy was to be secured, he was to be given that hold on the land which would satisfy his deepest desire. He was to be made the owner of the land he tilled.

The system created classes and, therefore, led to class war. While the tenant pined for safeguards against capricious eviction, real security of tenure was odious to the zamindar. The State tried to strike a balance. Yet the conflict inherent in the system was never resolved. It led to economic and political unrest. The big zamindars mostly stood for political reaction ; they were the props of British rule. They dreaded a democratic set-up and, in fact, the economic betterment of the people. It is notorious that the Sharda Canal Project could not be implemented chiefly because of the opposition of a leading zamindar of the area to be benefited.

For these and other reasons leaders of the country decided years ago that, if the decks were to be cleared for social and economic reform and for political stability, the feudal landlord-tenant system had to go.

It has gone lock, stock and barrel from Uttar Pradesh. The old land system in 96.8 per cent of the total holdings area in the State, *viz.*, 4,54,42,000 acres, has been overhauled from the roots. A revolution has been brought about, which breaks completely with the past. Not only has a comprehensive law been enacted and amended as and when experience dictated, it has been implemented in full in the actual field.

ELIMINATION OF INTERMEDIARIES

Every intermediary, that is, a person who held title in land, but did not cultivate it himself, whether big or small, whether a trust or an individual, whether a proprietor of any kind or a tenant-in-chief, has been eliminated. His rights all over the country-side of Uttar Pradesh have been acquired by the State.

DETERMINATION OF GRANTS, THEKAS AND USUFRUCTUARY MORTGAGES

All grants and confirmations of title in land or land revenue have been determined. Also, all *thekas* and usufructuary mortgages of land have been terminated, the latter having been substituted by simple mortgages. If the land held under a *theka* or usufructuary mortgage was *sir** or *khudkasht* of the proprietor, that is, was once held in self cultivation and constituted his home-farm, it will be restored to him, but in the case of a *theka,* only after it has run its full term. If not, the *thekadar* or mortgagee will, provided certain conditions have been fulfilled, continue to hold it as a *sirdar*.

SECURITY OF TENURE CONFERRED ON ALL ACTUAL CULTIVATORS

While an ex-zamindar will continue to hold the land actually under his plough and grove-land, if any, every other person, too, in the village who cultivated the land, whether he was a tenant or sub-tenant of any kind whatsoever, or, was even regarded as a trespasser under the old Tenancy Law, or, was granted only a *thekanama* so that he may be cheated of the tenancy rights that may accrue to him under the law, or, was a grove-holder, has been guaranteed possession over his holdings (along with scattered trees, if any) and groves in perpetuity and declared non-ejectable. Thus, all cultivators now face the State directly. Non-occupancy tenants of home-farm lands of those proprietors who paid a land revenue of not more than Rs.250 a year and sub-tenants will, however, be liable to ejectment if their lessor was, at the time of letting, suffering from a physical or mental disability, was serving in the Armed Forces of the Union or was confined in prison.

**Sir* : a Sanskrit word meaning plough.

BENEFITS CONFERRED ON ALL RESIDENTS OF THE VILLAGE

A zamindar was already the owner of his house and wells, if any. Now, every other resident of the village, whether cultivator or non-cultivator, has also been declared owner of his house and wells, with lands appurtenant thereto, and his trees in *abadi*. He had to pay no price for the grant of this right. That is, all the bonds of feudalism that tied one man to another have been snapped: exploitation has ended at one stroke and nobody in the village to-day is dependent upon any other person for his lands, home or hearth, wells or trees. There is no longer any mukhia, lambardar, zamindar, tenant, sub-tenant, or ryot left in the vast expanse of the country-side of Uttar Pradesh.

Houses and buildings occupied by agriculturists were already exempt throughout the country under section 60 of the Code of Civil Procedure from attachment or sale in execution of a money decree. In Uttar Pradesh they have now been exempted from sale even in execution of a mortgage decree. In certain areas of the State, particularly in towns, there existed a custom of *Zar-i-Chaharum* under which a landlord or lessor of a building lease was entitled to realize from the seller or purchaser of the building a portion of the purchase price, usually one-fourth. This custom has been abolished.

PROPERTY VESTED IN THE VILLAGE COMMUNITY AND ITS PROTECTION

All uncultivated lands (along with trees, except those planted by non-proprietors of land to whom they will continue to belong), *abadi* sites or pasture lands, paths or thoroughfares, ponds, tanks or ferries, threshing-floors or markets (except where they were held on the cultivatory holding of a *bhumidhar),* that is, all lands other than those which were in the exclusive possession or enjoyment of individuals as cultivatory holdings, groves, houses or wells, have been taken over by the State. Of the lands, about 90 lakh acres of waste land have been made over to the Village Community for management and about 24 lakh acres which consisted both of waste lands that were surplus to the ordinary requirements of the village and of private forest have been made over to the Forest Department for scientific development.

All contracts for grazing, or for gathering of forest produce or fish, entered into after August 8, 1946, have been declared void. Also, all persons who had, after this date, secured tenancy rights in pasture lands, cremation or burial-grounds, tanks or ponds, pathways or thoroughfares, *khalians* or threshing-floors, or being zamindars themselves, had brought such lands under their own cultivation, are liable to ejectment at the instance of the Village Community summarily. Also, a summary procedure for ejectment of all those who had encroached or trespassed upon common land and other property before June 30, 1952, or have done so since, has been provided.

TENURE-HOLDERS AND THEIR RIGHTS

Multiplicity of tenure has been done away with. There are, in effect, only two kinds of cultivators now, *viz., bhumidhars* and *sirdars,* in place of some forty who existed before. The ex-zamindars and even tenants who held transferable rights in their lands have been declared *bhumidhars* (meaning owners of lands) of so much area as they actually cultivated. All zamindars as grove-holders have been declared *bhumidhars* of their groves also. They will continue to enjoy the same rights of using the land for whatever purposes, as hitherto, and somewhat restricted rights in regard to transfer. *Bhumidhari* tenure to-day covers exactly one-third area of the total.

All other cultivators, that is, tenants, sub-tenants and those who were treated as trespassers under the previous law, have been declared *sirdars* (meaning wielders of the plough) of land under their actual possession. They will possess full rights of using the lands for agriculture, horticulture or animal husbandry, but will have no rights of transfer. Those of them who make a deposit of ten times their rent to the credit of Government will be promoted to the status of a *bhumidhar.*

Rights of both classes being permanent and hereditary, exchange of lands between *bhumidhars* and *sirdars* is allowed, the parties acquiring their old rights respectively in the lands they receive. The law of pre-emption has been repealed.

There is a third, but a very minor, category of tenure-holders called *asamies, viz.*, those who will hold land for cultivation from the disabled *bhumidhars* or *sirdars* or those who hold pasture land or lands covered by water or situated in the bed of a river or tracts of shifting cultivation, community orchards till they reach maturity, sullage farms or trenching-grounds from the Village Community or any other Local Authority, as the case may be. The rights of an *asami* are heritable, but not permanent.

RATE OF LAND REVENUE

Those persons who became *bhumidhars* or *sirdars ipso facto* on abolition of zamindari will continue to pay the same amount of land revenue or rent as they had been doing hitherto. *Sirdars* who acquired, or hereafter acquire, *bhumidhari* rights on payment of ten times the rent or revenue, will have their revenue halved.

Rents (now known as land revenue) of all *sirdars,* however, where they are excessive, will be reduced to an amount equivalent to double the hereditary rate for the land sanctioned in the last settlement. If no rent was fixed or the land was held on *batai* (share-cropping), the rent will be fixed at an amount equivalent to the hereditary rate in case the *sirdar* held directly from the zamindar, provided the land was not the *sir* of one who paid a revenue of Rs.250 or less a year, and at an amount equivalent to double this rate in other cases.

Land revenue, either of *bhumidhars* or *sirdars*, will not be liable to enhancement for the next forty years. Lands of those who hereafter plant groves of timber trees or cheap fruit trees thereon will be exempted from payment of revenue altogether.

AGRICULTURAL INCOME-TAX

Agricultural incom-tax (as distinct from land revenue) is levied and assessed on the principle that those who hold a far larger area of land than should have, in the circumstances of our country, fallen to their share must pay a proportionately higher contribution to the Exchequer. The minimum taxable income has been placed at Rs.4,200, but cultivators of 30 acres or less have been exempted altogether. The first taxable slab (between Rs.1,500 and Rs.5,000) is assessed at anna one in the rupee. The taxation reaches annas eight in the rupee when the income is between Rs.25,000 and Rs.35,000, the balance thereafter being taxed at annas ten in the rupee.

Income from cultivation is computed in one of two ways at the option of the assessee. One is to determine, on the basis of the returns filed by the assessee, the sale value of the produce and deduct therefrom the expenses on account of land revenue, local rates, irrigation and marketing charges, maintenance, replacement and repairs of capital assets, and expenses incurred on the construction or maintenance of protective or productive works. According to the other method, the income is taken to be 12½ times of the rental value of the land calculated at the latest sanctioned rates which were applicable to hereditary tenants before the abolition of Zamindari. To encourage growth of groves and orchards and reclamation of new lands, however, much lower multiples have been prescribed according to local conditions in each district or type of the soil.

COMPENSATION TO EX-ZAMINDARS

Every intermediary will be paid compensation for the loss of his rights. He will get an amount equivalent to eight times his net assets and, if his land revenue did not exceed Rs.10,000 a year, also a rehabilitation grant in accordance with a graduated scale of one to twenty times his net assets—the multiple in the case of smaller zamindars being higher than in the case of bigger ones. Religious or charitable *waqfs,* trusts or endowments have, in addition to the compensation admissible to them as intermediaries, also been guaranteed in perpetuity an annuity equal to the amount of their net assets minus an amount calculated at 2½ per cent on the compensation. Net assets mean the amount of gross receipts from land minus the outgoing payable to Government in the form of land revenue, local rate or agricultural income-tax, if any, and minus 15 per cent on account of the cost of management and irrecoverable rents.

Compensation in cases where it does not exceed Rs.50 is being paid out in cash; so also will the rehabilitation grant be paid. Compensation of higher amounts is being paid in the form of bonds payable over a period of 40 years and carrying an interest of 2.5 per cent yearly. Rules regarding adjustment of compensation bonds against the land revenue, if any, which the ex-intermediary may be paying to Government as a *bhumidhar* or *sirdar* and acquisition of *bhumidhari* rights by a *sirdar* in exchange of compensation bonds which he may be holding as an ex-intermediary or a transferee—a bond of Rs.100 doing service for Rs.80 cash down—have also been enacted, which will come into effect as soon as the accounting procedure has been finalized. Also, a bond-holder is entitled to receive *taqavi* to the extent of two-thirds of the face-value of the bond on its security, provided, of course, advance of *taqavi* and its amount are otherwise justified by rules.

The work of assessment and payment of compensation has been carried on with vigour.

The number of compensation rolls published up to February 28, 1957, comes to 66,60,775, out of which 66,55,000 have been made final. The total amount of compensation payable on the finalized rolls comes to Rs.66,51,95,937.

The value of bonds indented by Compensation Officers up to February 28, 1957, comes to Rs.44,73,16,250 and the value of bonds received by Compensation Officers and of those delivered by them to ex-intermediaries stands at Rs.42,19,53,350 and Rs.35,75,94,200, respectively.

The total amount of equated instalments which have fallen due comes to Rs.5,51,74,740 and of this, an amount of Rs.3,46,31,686 has actually been drawn by the bond-holders till February 28, 1957.

The amount of compensation payable to intermediaries who were entitled to payments of less than Rs.50 stood at Rs.4,98,15,779. Of this Rs.3,45,21,595 have been paid up or adjusted against Land Revenue by March 22, 1957. Residual compensation to bond-holders, i.e. total of amounts less than Rs.50 due over and above the bonds which has been paid off by February 28, 1957, stood at Rs.3,81,34,915.

The following table will show the amounts which have been paid off on account of interim compensation, interim annuity and interest on Z. A. Compensation payable to *waqfs*, etc.:

Kind of amount	Number of applications made	Number of applications finalized	Compensation paid in cash
			Rs.
Interim compensation ..	4,99,099	4,98,403	6,15,51,400
Interim Annuity interest ..	21,850	21,746	1,08,69,148
Interest on Z. A. Compensation payable to *waqfs*, etc. ..	5,211	5,156	21,63,898
Total ..	5,26,160	5,25,305	7,45,84,446

It will be seen that the total amount of compensation of all kinds which has been paid up in cash till February last, comes to Rs.18,18,72,842.

Rehabilitation grants of amounts higher than Rs.50 will be paid in bonds redeemable over a period of 25 years without interest.

Compensation payable to land-holders of *adhivasis*, who fall into four classes, will be payable as follows :

(1) *Ex-zamindars*—They get ten times of hereditary rent.

(2) *Fixed rate tenants and occupancy, hereditary and Istemarari tenants, who had transferable rights*—They get twenty times the hereditary rent.

(3) *Permanent lessees, rent free grantees, and persons who obtained bhumidhari rights by purchase under the TAPA*—They get ten times of the hereditary rent plus ten times the amount of rent payable previous to the date of vesting, or fifteen times the amount of the latter rent whichever is more.

(4) *Tenants who became sirdārs*—They get ten times the hereditary rent, or five times of the rent previous to the date of vesting whichever is more.

If the land-holder was a zamindar, he will also receive compensation and rehabilitation grant determined in the usual manner. The compensation will be paid either in cash or in instalments extending over a period of five years.

REDUCTION OF ZAMINDAR'S LIABILITIES

Inasmuch as zamindars could not be given full compensation for their proprietary rights at market rates, but only as much as was considered equitable by the State Legislature, their debts, if any, secured against their landed property, whether decrees had been obtained on their basis or not, have been reduced in the proportion which their compensation would have borne to the valuation of the property calculated under the U. P. Encumbered Estates Act, 1934 ; in other words, the proportion which the number of 8 would bear to the multiple fixed under the U. P. Encumbered Estates Act, for the area in which the property of the ex-zamindar lies. In the layman's language, the debts have been reduced by 60 to 80 per cent. Further, it has been provided that proceedings for recovery of this reduced amount can be taken out only against three-fourths of the compensation and rehabilitation grant payable to the ex-zamindar. If the decretal amount, to the extent it is relatable to landed property acquired by the State, still remains unsatisfied the creditor cannot proceed against the *bhumidhari* or *sirdari* land, if any, that the ex-zamindar may be holding. The outstanding amount will become unrealizable.

If, however, the debt is an unsecured one and the creditor chooses to proceed against the compensation or rehabilitation grant of the debtor, the amount of the bond auctioned shall, for purposes of adjustment of the decree, be appreciated in the proportion which the above-said multiple under the U. P. Encumbered Estates Act bears to 8, which means that satisfaction of the decree for every rupee of the bonds sold off shall be appreciated 2½ to 5 times.

SAFEGUARDS AGAINST RE-EMERGENCE OF ZAMINDARI AND OTHER DANGERS

In order that landlordism may not raise its head again, the law has been so framed that, in future, title and possession over a piece of land shall not be allowed to get separated into the hands of two persons. That is, the previous law about *sir* and ex-proprietary tenancy has been repealed and if a cultivator sells away his land or allows it to be auctioned for non-payment of land revenue, *taqavi,* or debts of a co-operative society, or, if he is a *bhumidhar,* for non-payment of a private debt, the purchaser will also be entitled to possession. Nor will a cultivator be allowed to usufructuarily mortgage his land, or, if he is able-bodied and of sound mind, to let it out to another unless he is serving in the Armed Forces of the Union or serving a sentence of imprisonment or receiving education in a recognized institution, but has not attained the age of 25 years or unless the lessee is an educational institution. If he does and is a *bhumidhar,* he will forfeit his title to the lessee: if he is a *sirdar,* he and his lessee will both be liable to ejectment at the instance of the Village Community, or, failing it, the Collector. Partnership in cultivation is, however, permissible both to a *bhumidhar* and a *sirdar.*

The merit of these provisions lies in the fact that in future only he will purchase land who is prepared to cultivate it himself and the possibility of middlemen or intermediaries exploiting the labour of the peasantry is eliminated.

The deletion of the provisions of the previous law securing right of possession to a cultivator whose proprietary rights had been sold up, will have no adverse effect on the peasantry as a whole. While it will throw inefficient farmers out of the profession (and thus restore mobility to the land), their place will be taken by other peasants, and not by usurers. Further, while it will enhance the credit of a peasant it will also check any tendency on his part to become improvident and get into debt.

RESTRICTIONS ON ACQUISITION OF LAND AND PARTITION

In order that land may not get concentrated into a few hands, a provision has been made that nobody (except a charitable institution) who holds 30 acres or more to-day shall be allowed to purchase land or acquire it as a gift in future either in his own name or in the name of any member of his joint family. If he holds less than 30 acres, he can only purchase so much as will make his entire holding not more than 30 acres in extent. For the trans-Yamuna area of the State and a few tracts in Mirzapur District the figure stands at 60 acres.

In order that further sub-division of tiny or sub-basic holdings may be discouraged, it has been laid down that a joint holding or holdings where they do not exceed 3.125 acres or five standard *bighas* in size cannot be partitioned through a law court. If the co-sharers cannot carry on amicably and one or more of them apply to the court, the land shall be auctioned amongst themselves and sold off to only one of them. In areas where holdings have been consolidated, it has further been provided that, if the land is sold to a person other than an adjoining farmer and the seller's *chak* of which the land forms part consists of less than 3.125 acres, the *chak*, shall be sold in its entirety. There is no restriction on the area that may be sold if the purchaser is an adjoining farmer.

PROVISIONS REGARDING SURRENDER, ABANDONMENT OR NON-USER

If a *sirdar* surrenders his holding or abandons it altogether, it will be taken over by the Village Community. Further, if a cultivator, whether a *bhumidhar* or a *sirdar*, does not cultivate his holding or any particular part thereof for three consecutive years, provided the holding or the part exceeds 12½ acres, the vacant land, after a further opportunity of six months to utilize it has been given to him by the Collector, will be taken over by the latter for management. Such land may be let out by the Collector himself, or, if he so desires, by the panchayat, to *asamies* for a period of nine years or less on moderate rent.

COROLLARIES TO ABOLITION OF ZAMINDARI

Abolition of Zamindari has led to certain problems. In fact, as a general proposition, the quest for better life breeds fresh problems continuously. As one goal is reached or approached, another emerges. The solution to one problem sows the seed of still other problems; at the same time it also contributes to their solution.

On the disappearance of Zamindari a vacuum was bound to occur in the village. There was nobody to look after and manage the common lands and nobody who could ensure that law was being observed as between tenure-holders *inter se*. The question was — who should be entrusted with the task? Who should take the place of the zamindar?

The next problem that posed itself was—how to collect land revenue from so many millions of petty peasants? The old agency had disappeared. What should take its place?

Besides, patwaris used to be appointed on the nomination of zamindars. Their appointment and even transfer were treated as judicial matters, leading to three appeals and a revision. Their service conditions had to be revised. Also, they enjoyed vast powers in regard to maintenance of land records, which could be and were often used to devastating effect on the life of the peasantry. They had to be curtailed.

Further, owing largely to the defects inherent in the landlord-tenant system itself, a vast number of mistakes had accumulated in the land records. Something had to be done to correct these mistakes so that the peasants might be saved the necessity of going to law-courts at their own expense.

Abolition of Zamindari led to yet another very obvious step, *viz.*, that of consolidation of holdings, which in the presence of the zamindari system was not an easy task. Now, there was nobody else interested in a plot of land whose interest had to be consulted, other than the actual tiller himself.

(i) LAND MANAGEMENT POWERS FOR GAON PANCHAYATS

On the disappearance of the zamindars there were two courses open to Government in the matter of management and utilization of common lands of the village and implementation of our agrarian policy. One was to allow the work to be done by officials and the other was to entrust the responsibility to the people themselves. The first course could not be adopted, for in that case the last word, in a way, would have rested with the patwari, which would have nullified the effect of abolition of Zamindari a good deal and would have blighted the corporate life of the village, which we were pledged to revivify. So, the powers were conferred on the villagers themselves—on their organ the panchayats. These village organizations in the plains now number 66,400 of which 43,200 are constituted of single villages. Revenue officers will step in only when a breach of law is committed, or a panchayat is found negligent in the performance of its duties. To mention some of their major functions, it is the panchayats which have to see that—

(1) uncultivated land surplus to 10 per cent of the total area, and surplus to needs, of the village is distributed according to rules on the subject ;

(2) the land which becomes the property of the village, *viz.*, the land of a peasant who dies heirless, land surrendered or abandoned by a *sirdar*, or land which becomes vacant under the law, is let out or otherwise utilized ;

(3) those *sirdars* who let out lands in contravention of the Act and their lessees are ejected ;

(4) action to cancel the sale-deed of a person who intends to gather a holding of more than 30 acres in his hands is taken ;

(5) lands of those big holders who keep 12½ acres of their land or more lying idle are let out, in case the responsibility therefor is entrusted to the panchayat by the Collector.

[Lands which fall under the above-mentioned categories or otherwise come within the jurisdiction of the Gaon Panchayat shall be let out or distributed in the following order :

(*a*) a recognized educational institution for a purpose connected with instruction in agriculture, horticulture or animal husbandry ;

(*b*) a landless agricultural labourer or an *asami*, residing in the circle, who does not hold any land whether as *bhumidhar* or *sirdar ;*

(*c*) a *bhumidhar* or *sirdar* who is holding land less than 6¼ acres in area in the circle ;

(*d*) a co-operative farm established within the jurisdiction of the Gaon Panchayat to enable it to possess a suitable area of land ;

(*e*) any other person] ;

(6) the land of a *sirdar* who is a minor, lunatic or idiot, if it has not been cultivated for two years at a stretch, is let out to somebody on his behalf ;

(7) the needy persons get sites for building purposes in accordance with the rules ;

(8) land revenue is collected, in case the Collector thinks fit to entrust the Gaon Panchayat with the responsibility ;

(9) if and when the Consolidation of Holdings Act, 1953, is applied to the area a consolidation committee is elected [It will be for this committee which wields wide powers under the law to lay down principles on which consolidation will be effected in the village, to reserve lands for public utility, to ensure that no injustice is committed against any tenure-holder, to assist the consolidation staff with its advice, and otherwise to see that the scheme so vital to good agriculture becomes a success] ;

(10) the uncultivated area including pastures, paths or roads, threshing-floors, ponds, market sites, cremation grounds or burial-grounds, is preserved and interlopers thereon are ejected ;

(11) common lands or property is properly utilized and the village community derives full benefits therefrom, there being some eleven sources of revenue to the panchayat as follows :

(i) premia from persons other than the landless admitted as *sirdars* to vacant land by the panchayat,

(ii) rent from *asamies* of the Gaon Panchayat,

(iii) grazing dues from pasture lands,

(iv) dues from *hats,* bazars and *melas,*

(v) dues from private ferries,

(vi) dues from tanks, ponds and fisheries,

(vii) irrigation charges from water channels vested in the panchayats,

(viii) lease money of *abadi* sites,

(ix) sale of scattered trees,

(x) income from forests vested in the Gaon Panchayat,

(xi) commission on collection of land revenue in case the Gaon Panchayat is entrusted with the responsibility.

A Hindi Manual known as the "Gaon Samaj Manual" showing all the duties and powers of the panchayats, too numerous to mention here, has been supplied to every organization.

The constitution of village organizations charged with vast powers of land management, a function hitherto performed, in the main, by zamindars, marks a fundamental change in the socio-economic set-up of the country-side. Whereas hitherto the land of the village was managed in the interest of an individual zamindar and in accordance with his whims and caprices, it is now in the hands of the entire body of villagers themselves, and has, therefore, to be managed for the greatest good of all of them. Even a landless labourer has now a say in the land management of his village. The experiment is pregnant with great potentialities. As time passes and village panchayats gather more and more strength, they will be fit to shoulder more and more responsibilities. The aim is the revival of our ancient village republics in a decentralized agrarian economy. Whether the dream of the framers of the law will come true depends on the villagers themselves, the public workers, and no less on sympathetic guidance from above. A silent revolution is under way. Because it is gradual and peaceful, not accompanied by violence or coercion, its impact on society at any given time can only be dimly perceived. But in course of time it is bound to express itself in the attitudes and behaviour of our people.

(ii) COLLECTION OF LAND REVENUE

When the legislation for abolition of Zamindari was on the anvil, prophets of gloom were not wanting who said that Government would find it an almost impossible task to collect land revenue directly from millions of small peasants and yet retain their confidence or its popularity. There were four alternatives before Government, *viz.*, collection through lambardars as hitherto, collection through patwaris who could be given some allowance for this extra work, collection through panchayats and collection through an official agency. The first course would have led to creation of a person or persons in every village in juxtaposition to the elected *sabhapati* of the community and would have militated against the growth of democratic traditions. The second would have been administratively unsound. The situation wherein accountant and collection agent are rolled into one, was frowned upon by every Government in the past and not unjustifiably. The third was the ideal solution, but the panchayats were yet untrained in the responsibilities which democracy entails, and had little experience. They were not able even to collect their own dues. So, it was the fourth course alone that was dictated by practical commonsense and public interest. It was decided to adopt it and to erect a structure with all possible haste.

The critics said that the low-paid official machinery of revenue collection, lacking as it will be human touch and spirit of accommodation, will soon degenerate into an engine of oppression and will indulge in corruption and embezzlement on an extensive scale and that, as a result, the country-side will be landed into chaos and unrest. That the Government will then realize the utility of the intermediaries, the zamindars, but it will then have become all too late.

The pessimism of the zamindars was, perhaps, excusable. They had not known anything but antagonism from their tenants. It required all their efforts year after year to collect their demand and they naturally thought that the cultivators would behave in the same manner with Government. They, perhaps, ignored the fact that the recalcitrance of the cultivator in respect of rent was due to the fact that he was seldom, if ever, dealt with honestly by the zamindars or their agents. They could not, perhaps, imagine a sympathetic and flexible collection machinery on the one hand and an honest, law-abiding and grateful peasantry on the other.

The land revenue demand before the abolition of Zamindari was about Rs.7.2 crores. As a result of abolition it has jumped up to the figure of about Rs.22.3 crores. Formerly, the land revenue used to be collected from lambardars, big taluqdars or zamindars and only in some cases from the individual proprietors of a Mahal. The principle of joint responsibility was often applied in practice. The total number of persons who were liable to pay land revenue did not exceed 2 lakhs in the entire State. After the abolition of Zamindari, however, land revenue has to be collected from about 2 crore khatas separately. No doubt the problem which Government had to face was stupendous and if a mistake had been committed in assessing the situation, the finances of the State would have been landed into a mess.

After careful consideration Government concluded that, if the collecting agency could reach the very door-steps of the cultivators, the instalments were fixed in a fair manner, the work of the collecting agents was supervised intensively, the issue of coercive processes was regulated with sympathy and judiciousness and the cultivators made to feel that in case anyone in the hierarchy harassed them he would be swiftly and effectively dealt with, collections would not be at all difficult. It was recognized that the average cultivator was neither dishonest nor recalcitrant, that traditionally he believed that the first charge on his crop was the land revenue and he was always prepared to discharge this liability. It was with full faith in this intrinsic honesty and rugged commonsense of the tiller of the soil that the rules were framed and the structure of a collection agency reared. While the law maintained the principle of joint responsibility, it was specifically provided that it shall not be enforced in any village except with the specific permission of Government. A person can, under the law, be arrested for non-payment of land revenue, but not for the arrears for which he may be responsible on the basis of joint responsibility. The amins (collecting agents) were to make collections on the spot without being armed by any coercive processes for at least a month. It is after the expiry of this period that a list of defaulters is prepared and the panchayat asked to persuade them to pay up the demand. Only when this action has been taken, are coercive processes issued against the defaulters.

The lowest rung of the agency consists of amins, who are adequately paid. Next come the Naib-tahsildars who are always on the move in order to check the collections and also to see that the amins do not harass the revenue payers. A wholetime Collection Officer has been appointed in each district in order to supervise the work not only of the Naib-tahsildars, but also of the amins. The Collector as before remains responsible for collection of the demand in his district. At present there are 45 posts of Collection Officers, 483 of Naib-tahsildars and 5,431 of amins. Collection of canal dues, *taqavi* and, wherever necessary, the A. I. T. and the dues owing to the village community from its *asamies,* or licensees, is also made through this agency.

Collection of land revenue and canal dues have been as follows during the last four years:

Year	Net demand (Rs. in lakhs)	Amount collected in the year (Rs. in lakhs)
1360 Fasli	2447.12	2393.29
1361 Fasli	2784.16	2717.47
1362 Fasli	2686.50	2636.14
1363 Fasli	2518.12	2569.51

The cost of collection was in no way more than 4.5 per cent of the demand.

It is remarkable that there have been very few complaints from the peasantry against the collection staff—only 235 in four years. Those against whom complaints were made were at once proceeded against and where the complaints were proved, swift punishment was meted out. All *haqs* and other exactions which used to be levied by the ziledar and the sepoy of the zamindar have become a thing of the past. Few could expect that the collection work would proceed so smoothly and with so few complaints from the people. About 7,000 officers and officials have been working every year and during the first four years, 1952–56, the new collection agency collected a total sum of Rs.103.16 crores on account of land revenue and canal dues, besides a large amount of other miscellaneous dues such as *taqavi,* agricultural dues, Central Excise and income-tax. Yet there were only 267 embezzlements involving about Rs.2 lakhs. On next page is given a table of the coercive processes taken against defaulters in the last three years of the zamindari era and the first four years of post-zamindari period in respect of all dues realisable as arrears of land revenue.

COERCIVE PROCESSES

Year	Writ of demand	Citation to appear	Warrant of arrest	Persons actually detained	Attachment of movable property	Sale of movable property	Attachment of immovable property	Sale of immovable property	Percentage of total demand for which coercive processes were used for	
									Land revenue	Other dues
1	2	3	4	5	6	7	8	9	10	11
1949-50	10,533	34,510	17,766	2,227	18,240	124	1,396	49	12.00	6.18
1950-51	9,329	45,003	31,233	1,894	16,437	254	1,417	296	10.10	9.15
1951-52	9,172	35,437	28,636	14,211	32,390	359	466	12	11.12	4.82
1952-53	3,247	18,772	43,431	1,868	18,359	470	144	77	1.26	14.46
1953-54	4,778	35,556	52,242	4,695	22,382	516	223	19	2.03	12.35
1954-55	9,561	62,291	49,006	5,417	29,512	865	422	12	2.61	—
1955-56	9,668	75,309	57,551	5,881	34,753	1,198	162	63	2.59	7.81

Apart from other dues, the amount of land revenue to be collected now is about thrice as much as it was in the pre-abolition days, and the number of persons from whom collections have to be made is nearly fifty times the number from whom land revenue was collected in those days. It is apparent then that the number of coercive processes should have been many times larger than that necessary in the pre-abolition period. The above figures, on the other hand, will show that although there is a tendency for a slight increase in the number of minor processes, namely, writs of demand and citations to appear, as also some in the warrants issued for arrest, the really coercive processes such as persons actually detained and attachment and sales of movable and immovable properties have been extremely small. The most significant point is that the percentage of the total land revenue demand for which coercive processes were used has decreased very remarkably.

The State Government is authorized by law to charge the village panchayat with the duty of collecting and realizing land revenue and other Government dues on its behalf, wherever it thinks the panchayat can shoulder the responsibility. Indeed, Government is dreaming of and planning for the day when no official machinery of collection will be needed and all Government dues will be realized by the panchayats. To-day, the few panchayats that are charged with the responsibility receive back one anna per rupee of the amount of Government dues realizable and realized from the village. This amount can be raised to two annas, even more, when the panchayats all over the State would have, in course of time, proved themselves worthy of the charge.

(iii) REORGANIZATION OF PATWARIS' SERVICE

Zamindari was abolished in Uttar Pradesh on July 1, 1952. As a corollary the vast powers which the patwari enjoyed over the economic life of the peasantry were curtailed. Thereafter, Government took up the consideration of the conditions of their service, which the patwaris had been demanding for long.

But in the meantime they resigned in a huff. The resignations were accepted in March, 1953, and a general recruitment of fresh candidates, under the designation of lekhpals, was made in April, 1953. Training in survey and rules was given to them at intervals during 1953 and 1954.

The evils of the old system under which the patwaris used to be appointed on the nomination of lambardars were evident. Although there was a rule to the effect that any person who paid or promised to pay money in order to secure a nomination would be disqualified for appointment, it was impossible to enforce it, and it was an open secret that not infrequently nominations were sold by the lambardars to the highest bidder, with the result that generally inefficient persons entered the service. Also, if there were more candidates than one, the aggrieved one could take the matter in appeal and revision to the highest revenue judiciary. The lekhpal is now appointed by the S. D. O. from a list of qualified candidates in which the names are arranged in order of seniority, and this list is now the sole criterion for future appointments. There is no right of appeal; representation is a different matter.

The post of the old patwari was not pensionable but the post of lekhpal is. The old patwaris used to draw pay in the scale of Rs.25–1–40 and 10 per cent of the cadre were promoted in the scale of Rs.40–1–45. The lekhpal draws his pay in the scale of Rs.35–1–55 and 15 per cent of the cadre will be promoted in the scale of Rs.55–2–65. A dearness allowance of Rs.12 per mensem is admissible to a lekhpal as it was admissible to the old patwari. No travelling allowance, daily allowance or stationery allowance was admissible to the old patwaris. A fixed travelling allowance of Rs.4 per mensem is allowed to all the lekhpals living at a distance of more than 5 miles from the tahsil headquarters. A daily allowance at the rate of twelve annas per day has been allowed to all the lekhpals for all halts exceeding two days at tahsil headquarters or outside their *halkas* (circles) on Goovernment work. A stationery allowance of annas 8 per mensem is also admissible to all the lekhpals.

Patwaris not above 40 years in age were eligible for appointment as Assistant Registrar Kanungos, but only a few posts used to go to them. All posts of Assistant Registrar Kanungos have now been reserved for the lekhpals. Admission to the Kanungo Training School for the post of Supervisor Kanungo was admissible to the old patwari only up to 20 per cent of the cadre. Fifty per cent of the post of Supervisor Kanungos are now reserved for lekhpals of 10 years' standing. Old patwaris were not eligible for the post of Land Records Clerk : lekhpals of five years' standing who have passed the High School Examination are now eligible for this post.

There was no age limit for the appointment of patwaris, with the result that old and infirm persons often entered the service. Only such persons are now recruited as lekhpals as are not less than 18 and not more than 25 years of age. Before a candidate is finally appointed as a lekhpal, he is required to produce a medical certificate to the effect that he is in good mental and bodily health and free from all physical defects likely to interfere with the efficient performance of his duties.

There was no provision for probation for the old patwaris. Now every lekhpal on appointment in a substantive vacancy is placed on probation for a period of two years and is confirmed in his appointment only if at the end of the period of probation his work and conduct are found to have been satisfactory.

Transfers from one circle to another for a patwari was more or less a form of punishment ; so, the order of transfer could be appealed against to the highest revenue authority in the State. The patwaris, therefore, usually remained in their circles from generation to generation. Lekhpals can now be transferred on mere administrative grounds and the order is not liable to appeal.

There was no age of retirement for patwaris who could continue to work so long as they could perform their duties ; this was so because in many cases they were recruited at an advanced age. The age of retirement for lekhpals is 55 years, subject to the Collector's power to retire those whose work or health is found unsatisfactory, although they might have attained only 50 years.

Every patwari was required to provide himself at his own expense with a scale, pair of compasses, an offset-piece, a measuring rod and an area comb. All these instruments are now supplied to each lekhpal at Government expense.

Under the old system the patwari used to maintain the following records:

(1) Khasra.
(2) Khatauni.
(3) Proprietors' khewat.
(4) Sub-settlement holders' khewat in Avadh.
(5) Under-proprietors' khewat in Avadh.
(6) List of mortgagees of specific plots.
(7) Siyaha.
(8) Grain-rent ledger.

The lekhpal has now to maintain only two records, i.e. the khasra and the khatauni. In the few areas not yet covered by the Zamindari Abolition and Land Reforms Act, the lekhpal also maintains the khewat, but such areas are practically insignificant.

The columns for the names of mahals, pattis and khewat have been eliminated from the khasra as they were no longer necessary in the changed set-up. This has reduced the size of the khasra to a certain extent. As regards the khatauni, under the old system this record was prepared mahal-wise, and within the mahal khewat-khata-wise. It is now prepared village-wise. The number of villages in this State is a little over one lakh; after the integration of villages this number will be reduced by more than one-third. There were about 40 kinds of tenure before the abolition of Zamindari. The number has now been reduced to three, *viz., bhumidhari, sirdari* and *asami*. The work relating to this record has further been reduced by the introduction of the triennial khatauni from the beginning of 1363 Fasli (1955-56). Hitherto, this record was prepared annually.

Before the abolition of Zamindari there were as many as 27,203 patwaris and assistant patwaris in the State. As a consequence of abolition of Zamindari and the resultant simplification of land records, there are now only 18,119 lekhpals in the State. The limits of their circles have been extended.

Under the old system, the patwari was permitted to record on his own authority all cases of usufructuary mortgages, successions which in the judgment of the patwari were undisputed, names of persons cultivating on behalf of the recorded tenants, new lettings of vacant land by land-holders, lettings by tenants and sub-tenants of their holdings, changes in rent, modifications in consequence of alluvion and diluvion and cases of persons occupying land without title. In certain tracts of Bundelkhand if the tenant ceased to cultivate the land the patwari could remove the entry from his registers on his own authority. He could also give effect to exchanges of lands between tenants in these tracts. This procedure gave ample opportunity to the patwari to make intentional or unintentional mistakes in the records. The patwari was also required to record statements of tenants and land-holders in several cases in respect of changes to be recorded in his khasra and khatauni. He could thus determine whether a person was entitled to land, or was a trespasser, whether a surrender was valid or not, whether an abandonment had taken place, and so on. In short, the patwari had vast powers of determining the status and rights of cultivators, which, if abused, gave rise to lengthy and costly litigation in revenue, civil and criminal courts.

Under the new system of maintaining land records all the powers mentioned above have been withdrawn. The simple duty of the lekhpal is to ascertain merely the fact of possession on the spot and to report all changes of possession which come to his notice to the higher authorities for necessary enquiries.

In particular, he has been prohibited from making any changes in the names of tenure-holders, either in the khatauni or in the khasra. If at the time of his partal he finds any person other than the one recorded in the tenure-holders' column to be in actual occupation of the field, he merely records his name in the "remarks" column of the khasra, but not the nature of the possession.

In order that this power may not be abused, more than one safeguard has been provided—

Firstly, the lekhpal shall enter the fact of possession in his diary also which he shall keep with himself at the time of the partal, and note down the date and serial number of the entry in the diary in the "remarks" column of the khasra against the entry concerned ;

Secondly, he will hand over an extract of the entry to the persons affected and secure their signatures in token of its receipt. These persons, if they feel aggrieved, can apply to the Tahsildar or the Sub-Divisional Officer, as the case may be ;

Thirdly, after the partal is over, the lekhpal will prepare in triplicate a consolidated list of all such entries and send one copy each to the Supervisor Kanungo and the President of the Land Management Committee, which is synonymous with the Gaon Panchayat. The Supervisor Kanungo will verify the list as far as possible in the presence of the President of the Land Management Committee, or, in his absence, that of any other member of the committee who may be available. After verification, the Kanungo will get reports drawn up in respect of cases which the lekhpal may have failed to report. The Supervisor Kanungo also ensures that extracts have been received by all the persons concerned and if any one has not received the extract, he gets it issued in his own presence.

No one is thus left in ignorance of any changes that the lekhpal may record, and everyone has the opportunity of safeguarding his rights.

As a further safeguard, in the revised form of the khatauni certain columns have been provided for noting orders of competent authorities for effecting changes. Orders so recorded in these columns are duly attested by the Registrar Kanungo. It is only when the next khatauni is prepared that these orders are given effect to in the tenure-holders' column. It has further been provided that before orders passed by competent authorities are communicated to the lekhpals, they are entered in a mutation register by the Registrar Kanungo.

In short, the lekhpal will no longer be able to record any changes in the khatauni without the orders of a competent court, and before any changes are made, an abstract of duly attested orders themselves will have to be recorded in the khatauni. Under the old rules the khatauni remained in the hands of the patwaris for one year after its compilation. There were chances of additions and alterations being made during this period. These have also been eliminated by providing in the new rules that the khatauni will be deposited in the tahsil by July 31, of the Fasli year following that in which it is completed.

According to an old rule, wherever a peasant required a copy of an entry in land records in regard to his land, but the patwari refused to supply it, the peasant could apply to the Tahsildar. This entailed expense and loss of time. It has now been provided that the aggrieved peasant can approach the President of the Land Management Committee who is authorized to ask the lekhpal to supply a copy or extract within a fortnight. If he still fails to hand over the extract, the President can report to the Tahsildar who will have disciplinary action taken against the lekhpal by the S. D. O.

As mentioned earlier, only two records are maintained at present, namely, the khasra and the khatauni. The khasra is a field-book in which are entered from time to time all changes in boundaries, facts regarding changes in tenure-holders and also the facts relating to agricultural statistics. It will have to be maintained in its present form for a long time to come. The khatauni is a record of rights which describes various tenure-holders, their varying interests in land, the land revenue or rent payable by them, and also the classification of uncultivated lands not included in holdings. This record, as we have seen, has been made triennial from July 1, 1955, that is, from the beginning of 1363 Fasli. The working of the triennial khatauni will have to be watched for at least two trienniums till the conditions arising out of the new laws settle down, and then it will have to be examined if this record can be made quadrennial or quinquennial.

The lekhpal will work as Secretary of the Land Management Committee, which, since the recent elections is synonymous with the Gaon Panchayat, and, in this capacity, attend all its meetings, give all information and issue free of charge copies of records that the Committee may require, report to the Tahsildar all cases of damage to, or encroachment upon, village lands and other property when the office-bearers of the L. M. C. fail to do so, etc. He shall also, under the guidance and supervision of the President of L. M. C., be responsible for proper maintenance of accounts and registers of the Committee.

A question has often been posed as to whether it is at all necessary to have his service. Apart from the multifarious duties which he has to perform as the only village level worker at many places, the work involved in the maintenance of Land Records is important enough to reserve a whole-time official. But for him it would be difficult to supply even moderately accurate statistics about cultivated area, irrigated area and crops. In the absence of this information no planning can be made. His records have always been considered to be the basic piece of evidence to determine the rights of persons claiming to be in possession of land. But for his maps, it would be impossible to decide questions involved in boundary disputes. In short, from whatever point of view we may examine this question—administrative, economic, juridical or developmental—the conclusion is inescapable that the lekhpal is a necessary part of the administrative machinery.

(iv) LAND RECORDS CORRECTION DRIVE

During the closing year of the Second World War the maintenance of land records was grievously neglected : the all-out war effort left little time for routine administration. The advent of independence brought its own problems ; in particular, the various measures of land reform undertaken in quick succession demanded the whole attention of the land records staff. The mass resignation of patwaris in 1953 caused a further set-back. The deteriorating condition of land records, therefore, demanded urgent attention, and accordingly a concerted drive to correct the khataunis which became the basic record of rights in the new set-up ushered in by zamindari abolition, was undertaken in all the districts of the State except the hill districts of the Kumaun Division.

The correction drive was started about the middle of August, 1954, along with the kharif partal and continued till November, 1954. Before the drive was started printed leaflets were widely distributed in the villages, inviting the peasantry to take advantage of this opportunity to get the records corrected free of cost and assemble on the appointed date and time to hear the entries in the khataunis to be read out by the lekhpals in the presence of the Presidents and other members of the Land Management Committees. This publicity evoked considerable interest, and the response was eminently satisfactory.

For the purpose of the drive, each tahsil was divided into three sectors assigned to the S. D. O., the Tahsildar and the Naib-tahsildar. Each of these officers was required to visit all the villages in his sector.

The lekhpals read out the khatauni both Parts I and II, to the assembled tenure-holders at a suitable place in the village selected in consultation with the President of the Land Management Committee, and made a record of all entries which were challenged by the tenure-holders. This process continued from day to day until the entire khatauni had been read out and all errors and disputes had been recorded. The errata lists were prepared in two parts, one relating to undisputed successions and the other relating to other changes. As soon as the lists were completed for a village the lekhpal got them signed by the President of the Land Management Committee and passed them on to his Supervisor Kanungo.

After these lists had been verified by the Supervisor Kanungos, they were sent to the S. D. O., Tahsildar or Naib-tahsildar, as the case might have been, in accordance with the division of work between these officers, for orders. The Supervisor Kanungos were also required to prepare separate lists of changes and disputes which the lekhpals had failed to discover and append them to the errata lists prepared by the lekhpals. They were also required to record a note of the verification on the title page of the khatauni. Instructions were also issued to the Supervisor Kanungos to take this opportunity to discover unlawful possessions of Gaon Samaj lands.

On receiving the errata lists, the S. D. Os., Tahsildars and Naib-tahsildars were required to pass orders summarily, as far as possible on the spot, and apprise the affected tenure-holders of the position. Summary orders were, however, not to be passed in cases relating to changes in the recorded rent or land revenue, class of tenure, term of cultivation and division of holdings which were to be decided in regular proceedings.

After orders were passed on the errata lists, they were sent to the Registrar Kanungos for *amaldaramad*. The Registrar Kanungos were also required to inform the *wasil-baqi-navis* of all changes that become necessary in the land revenue *jamabandies*.

With but minor exceptions, the work was well done. The S. D. Os., Tahsildars and Naib-tahsildars did extensive touring to supervise the work of lekhpals and Supervisor Kanungos. This will be clear from the fact that about 29 lakhs of wrong entries were discovered, out of which 29 per cent were corrected during the drive itself. For the disposal of the remaining cases, while it was stressed that the regular district staff should finish them, additional staff was sanctioned where the number of cases were unusually large. In 21 districts the work of disposal of correction cases has been completed; there are 16 districts where more than 95 per cent cases had been disposed of; in five districts the disposals ranged between 90 and 95 per cent; and in the remaining five districts also they are above 80 per cent.

Considering that the work with the S. D. Os., Tahsildars and Naib-tahsildars has considerably increased on account of multifarious activities that go with a Welfare State, the disposal of the correction cases was by no means meagre. Orders have, however, been issued to district officers to see that the cases in balance are disposed of as quickly as possible so that the land records are purged of the mistakes that exist in them. In the five districts where the arrears are still significant additional Tahsildars have been allowed and efforts are being made to get the cases disposed of quickly. Emphasis is being laid on the *amaldaramad* of the orders passed by the Sub-Divisional Officers, Tahsildars and Naib-tahsildars by observing a "clearance week" every month.

(v) CONSOLIDATION OF HOLDINGS

Owing mainly to the increasing pressure on land, to our laws of inheritance and transfer and to the desire of elders of the village in the historic past, when man had not acquired such mastery over Nature as to-day and, therefore, was unable to find means of irrigation and other agricultural facilities, to prevent some farmers from having all good land and others all inferior land, or land adapted only to one kind of crop, our land-holdings, small as they are, are divided into tiny plots scattered over the whole arable area of the village. The disadvantages of such a system are so great that agrarian economists all the world over have regarded consolidation—a concentration of scattered parcels of land belonging to the same owner in a single block, or at any rate, in a smaller number of parcels, as the very first step towards improvement of agriculture. Land consolidation results in increasing the productivity of all the three production factors in agriculture—land, capital and labour.

The control of irrigation and drainage water would be more easy, leading to better utilization of land. Fields are now so scattered that often it is not economical for a farmer to dig a well for a small plot and it is not always easy for several farmers to co-operate in digging and using the same well. Even where canal and tube-well irrigation facilities have been made available by the State, scatteredness of plots results in waste of water which has necessarily to be carried through long channels to reach the various plots belonging to an individual.

Consolidation would reduce the number of boundary lines and thus save land. Further, if land were all in one piece, barriers such as fences, hedges or ditches, could be erected to obtain privacy and prevent trespassing by man and animal, thieving and gleaning. Control of pests, such as rodents, insects and locusts, and of diseases, would also be less difficult. Whatever the land produces will thus be better tended and protected.

Disputes over boundary lines, right to irrigation and drainage, and those arising from mistakes in land records which are rendered possible by the multiplicity of small plots that may be held by one person, will have almost been entirely eliminated, thus making litigation and waste of money over litigation a thing of the past. Bullocks, which are the main capital of the Indian farmer, would be better utilized, inasmuch as the time that is wasted to-day in driving them from one tiny plot to another will have been saved.

Human labour, too, would be employed more efficiently. It is not only the time of the bullocks that is wasted in being driven from one plot to another, but that of the farmer as well. In Domariaganj, a tahsil of Basti District, which is under consolidation, there are thirty plots on the average possessed by a peasant family which has hardly 3.5 acres of land. This means that the area of an average plot comes to 500 square yards or so. When these thirty plots are concentrated into, say, two or three bigger plots or blocks, the quantum of human labour that goes to waste to-day, and will be saved, can be imagined.

The peasant will, indeed, shift his entire agricultural equipment to his *chak* or holding where he will put up a building or buildings and enclosure for his cattle, stock the *bhoosa* and other feed-stuffs, stock the manure in a pit, reserve a piece of land as threshing-floor and press his sugarcane, and from where he will carry on all his agricultural operations on his land that now lies compact at his feet and within his ken. His land, his money or whatever capital he may be able to invest in the farm, his labour and that of his bullocks will be better utilized and exploited. He will be able to exercise greater supervision. Farming in these conditions will approximate to the home-stead farming of England and other countries, and will give far greater yields.

In fact, consolidation of holdings, is a condition precedent to all and any development of the country-side. This has been recognized by the Development Commissioners from all over India who gathered in a conference in Naini Tal in July, 1956. Much of the effort and money spent by the administration on urging the cultivator to produce more is lost to-day, and for this he is not to blame. We have to create conditions in which he will be able to utilize the technical advice, the money, the resource facilities that are made available to him by Government, and these conditions will be brought about by land consolidation alone.

The Government of Uttar Pradesh framed a Consolidation of Holdings Act in 1953, which came into force next year. In framing the scheme outlined in the Act care was taken to avoid the pitfalls that usually lurk in any kind of scheme of such vital import and concerned with our entire peasantry which is mostly illiterate.

A whole-time staff consisting of five tiers, the lower one being under close supervision of the immediately higher, has been provided which will reside in the village itself. Consolidation Committees, which are sub-committees of the Gaon Panchayats, have been appointed in every village. These committees are to be consulted by the consolidation staff at every step. It is through these committees that popular co-operation is sought and popular reactions are ascertained. Consolidation is thus not an imposition but something which the villagers themselves help shape and implement for their own good. In addition, opportunity for publicity in the village for filing objections and appeals has been provided at every stage.

Revenue records for reasons, some of which have been referred to, are not cent per cent accurate and if consolidation is effected absolutely on their basis, injustices are likely to be committed. So, the very first thing that the consolidation staff is required to do, is to correct these records. Even soil classification which was entered in the last Settlement records, is liable to modification at the wish of the Consolidation Committee.

Correction done, a scheme is framed for every village, of course, in consultation with the Consolidation Committee. In our villages as they are to-day, cultivation has, owing to various causes, encroached upon thoroughfares, tanks and ponds, threshing-floors, cremation-grounds, grazing-grounds and other lands of the village meant for common use. There is also a lack of amenities, mostly for lack of land for the purpose. There is usually no plan on which the village was settled in the past. So, when the entire land of the village was technically brought in a hotchpot, with a view to distributing it again, it would have been gross negligence on the part of Government if the opportunity was not availed of to widen the thoroughfares and lay out fresh ones, if necessary ; to add to the grazing-grounds if the villagers thought fit ; to reserve land for manure-pits outside the village ; to reserve land for the expanding *abadi,* for putting up a school or a panchayatghar-cum-co-operative store, for purposes of a school farm, for purposes of conservancy, and so on. The opportunity has, however, not been missed. In some districts the peasantry have gladly set apart even two per cent of their land for these purposes. One per cent, however, is the usual contribution in most districts.

The next step is to frame the principles on which the Consolidation Committee would like the operations to be conducted in their villages. The principles have been indicated in the enactment, but they are not all of a binding nature. The Committee are free to pick and choose, and even to adopt new principles for themselves.

Then is reached almost the last stage, *viz.,* that of proposals—proposals about the land each peasant will receive in exchange for the one that he holds to-day. This is the most delicate stage. Every peasant is theoretically in favour of land consolidation, but when it comes to brass tacks, to transfer of lands that his family might have been cultivating from the time of his great-grand-father, it means a great wrench. So powerful are the conceptions of 'mine' and 'thine' in regard to land that it will take a peasant alone to appreciate them. "It is easy to chronicle the beneficient results of consolidation (sic)", says Darling in his book, *The Punjab Peasant in Prosperity and Debt* (p. 253), "but most difficult to produce them. For everyone has to be satisfied and all conflicting interests reconciled. The ignorant have to be enlightened and the stubborn conciliated. The poor, the weak and the speechless have to be as much regarded as the rich, the strong and the vocal. Moreover, technical difficulties abound ; and underlying all is the peasant's passionate love of his land with the jealousy of neighbours that passion breeds. In such circumstances the work must be slow. The marvel is that it is done at all."

This marvel has, in actual fact, been effected in 2,044 villages of Uttar Pradesh up to March 31, 1957. The *chaks* have been finalized in 428 other villages. The scheme is in operation in 12,085 villages of 26 tahsils of as many districts of the State. In five of the districts it was introduced as recently as in the month of October, 1956.

Sri Albert Mayer, Planning Advisor to U. P. Government, in a letter to the Development Commissioner, dated September 3, 1956, sums up his impression as follows: "Having observed the consolidation effort at work in the field, it strikes me that a most important and almost revolutionary job is being done, and that as observed in Unnao, the personnel is doing well, especially considering how many are new recruits."

The stakes are vital not only to the future of agriculture in the State, but vital in the eyes of individual peasants themselves. The staff is, therefore, beset with many temptations. But wherever they have been found guilty of lapses, severe action has been taken. By and large they have acquitted themselves creditably and evoked unanimous appreciation of the Standing Committee of the Legislature on Revenue in its meeting of June, 1955.

BENEFITS OF LAND REFORMS

It will take a good deal more time before the economic consequences of the land reforms can be measured statistically. All one can say, in the meantime, is that production of the peasants is increasing and, generally speaking, their standard of living is improving. In course of time, as demands for comfort, health, education, roads and entertainments rise, the change in distribution of income and increase in farm production brought about by the reforms will give a fillip to industrial expansion and allow this expansion to generate its own purchasing power and to create its own market.

The important thing is that they acquired one thing the farmers the world over want most : a piece of land of their own. One does not know what economic value to attach to this factor, to this newly-gained incentive to improve the land in every way possible. If the famous English agriculturist, Arthur Young, was right in saying that "the magic of property (ownership of land) turns sand into gold", then the new owners of land in Uttar Pradesh stand in a good way of bettering their economic status within, of course, the broad limitation imposed by the small size of their holdings.

On the social side, the reform has narrowed down, rather eliminated, the traditional difference between classes in the village. It does not require much imagination to appreciate the fact that when the landlords lost much of their affluence they also lost much of their influence. The landlords as a class are finished while, at the same time, the erstwhile tenants' status and prospects have been raised. The tenant with almost no rights to defend and no power to invoke, no property to cherish and no ambition to pursue, bent beneath the fear of his landlord and the weight of a future without hope, has given way to the peasant with right and a status, with a share in the fortunes and government of his village.

The political consequences of the land reforms are no less far-reaching. Much thought was given to this matter, since the drafters of the legislation were cognizant of the need to ensure political stability in the country-side. By strengthening the principle of private property where it was weakest, i.e. at the base of the social pyramid, the reforms have created a huge class of strong opponents of the class war ideology. By multiplying the number of independent land-owning peasants there came into being a middle-of-the-road, stable rural society and a barrier against political extremism. It is fair to conclude that the agrarian reform has taken the wind out of the political sails of the disrupters of peace and opponents of ordered progress.

CRITICISM ANSWERED

(i) RIGHT OF RESUMPTION

Criticism is sometimes made that zamindars who possessed little or no land for personal cultivation, should have been allowed to resume some area from their tenants. This criticism was particularly strongly voiced at the time when the State Government decided in 1954 to confer permanent and hereditary rights on the tenants of home-farm lands of zamindars who paid a land revenue of Rs.250 or less a year (rights on such tenants of bigger zamindars having been conferred in 1952) and on sub-tenants called shikmies.

Uttar Pradesh and Delhi are the only States where all tenants have been given full security of tenure and brought into direct relationship with the State. In Delhi tenants received full ownership rights and were required to pay compensation to owners in addition to payment of land revenue to Government, compensation being recoverable as arrears of land revenue. Here in Uttar Pradesh the State recovers rent from the tenants and pays compensation largely in the form of bonds to owners.

Bombay, Punjab, Rajasthan, Hyderabad and Himachal Pradesh are the States where the tenant has a limited security of tenure, and is liable to ejectment in exercise of the landlord's right to resume a limited area for personal cultivation. This is subject to the condition that a minimum area is left with the tenant.

Assam, Madhya Pradesh, Orissa, PEPSU and Kutch are the States where the landlord's right to resume is subject to an upper limit, but the tenant is not entitled to retain a minimum area for cultivation.

In other parts of the country either no action for protection of the tenants has yet been taken or ejectment has been stayed only temporarily.

The landlord's right to resume land would evidently militate against the tenant's security of tenure, and where it has existed the results have not been gratifying. The First Five-Year Plan had proposed that the limit of resumption for personal cultivation should be set at three family holdings. Recognition of this right, however, has led to large scale dispossession of tenants in some of the States. It is not easy to define personal cultivation : loop-holes in the law have been found which enable absentee landlords living in distant towns to resume lands from tenants and get them cultivated through hired labour or through crop-sharing. Resumable and non-resumable areas have not been demarcated and a tenant's right to purchase, where it exists, is operative *pari passu* with the landlord's right to resume. These defects supply a lever in the hands of the landlords which they have not been slow to use. In some cases landlords have sold out or partitioned the lands which they personally cultivated and having thus brought their holdings below the permissible limit, proceeded to evict the tenants to resume further areas. Also, in an attempt to strike a fine balance between the rights of the landlord and the interests of the tenant, the law has been rendered too complex for the poor tenant to understand. Nor has the necessary vigorous administrative support been forthcoming to back up the tenants who are generally in too weak a position both economically and socially to insist on their rights.

The Committee on Tenancy Reform constituted by the Land Reforms Panel of the Planning Commission has been forced to remark :

> "The Land Policy has been implemented effectively only in a few States. In some States, it has not been given effect to and in many others, where an effort has been made to implement it, the legislation has failed to give the intended relief."

The Second Five-Year Plan does not make much advance in the position. It proposes that—

(1) where the land-owner has under his personal cultivation land which exceeds a family holding, but is less than the ceiling limit, he may have the right to resume land for personal cultivation, provided that his tenant is left with a family holding and the total area obtained by the owner together with the land already under his personal cultivation does not exceed the ceiling;

(2) if the land-owner has less than a family holding under his personal cultivation, he may be allowed to resume one-half of the tenant's holding or an area which, together with land under his personal cultivation, makes up a family holding, whichever is less, provided that the tenant is left with not less than a basic holding (which is regarded as being equivalent to one-third or a family holding).

It goes on to suggest that demarcation of resumable and non-resumable lands should be made speedily and a time-limit be prescribed, on expiry whereof the right of resumption will cease to exist. In the case of small owners, however, it is not necessary, according to the Plan to prescribe a period during which resumption for personal cultivation should necessarily take place. (This might mean, by the way, that tenants of these owners will have little or no hope of social and economic freedom for an indefinite time to come.)

Experience of the last five years shows, however, that regulation of tenant-landlord relationship is not possible and that if the position of the tenant is to be secured there is no alternative to ending this relationship at one stroke and bringing the actual tiller of the soil face to face with the State.

In Uttar Pradesh it was not thought desirable to permit any resumption for personal cultivation. Thus the State which has, next to Assam, the highest percentage of cultivators in the country, was spared the spectacle of large-scale ejectments and consequent misery. It is sometimes believed that the case for resumption, or at least in respect of *shikmi* lands was based on indisputable grounds and should have been conceded. But what are the facts? The number of persons entered as *shikmies* (later on called *adhivasis*) or tenants of home-farm lands and sub-tenants, stood at 57.92 lakhs and the land they possessed, at 25.5 lakh acres. Assuming that on the average a person had a share in three khatas, the area that he possessed as a *shikmi* came to 1.32 acres. If his name was repeated four times, the average area that he held came to 1.76 acres. So that if the intermediaries, *viz.*, small zamindars and tenants-in-chief, were allowed to resume land, a vast majority of these smaller men would have been ejected, creating political and economic problems for the State. Further, it was not all *bhumidhars* or *sirdars* who had let out lands to *shikmies* and those who had done so, already possessed lands under their plough. Also, it was reasonable to assume that those who had let out all land to *shikmies* either had a large area, in which case they will receive substantial compensation, or had so little that they did not think, it would keep them in bread and clothes throughout the year and took to other occupations. A survey held in 74 villages chosen by the method of random sampling in 37 tahsils of nine districts which had the largest number of *shikmies* in the State, confirmed the truth of these assumptions. It showed that only 16.8 per cent of all the *bhumidhars* and *sirdars* had let out any lands at all, and of these 11.85 per cent, that is, only 2 per cent of the total, had let out all their lands and taken to some other profession. 82.4 per cent of these tenants-at-will had been occupying their land for more than five years and about 88 per cent had no means of livelihood other than cultivation.

(ii) PROHIBITION OF LEASES

The second criticism is levelled against the provision regarding forfeiture of land in case it is let out by a person who is able-bodied and free to cultivate it. Complete prohibition of leases, it is said, "introduces a degree of rigidity in the rural economy and is difficult to enforce administratively." Further, it would prevent or discourage movement of the rural population to urban areas. An unfettered and continuing rights to his share of the land in the village ensures a person a retreat and a livelihood if he becomes incapable of earning a living in the outside world. Complete prohibition of letting, therefore, is said not to be a practicable or even a desirable proposition.

It is accordingly suggested that, subject to certain conditions, tenure-holders should be free to let out their land, but in order that the right be not abused, the leases should, in future, be made through the village panchayats for whose guidance suitable principles prescribing conditions in and on which leases will be made and an order of priority, etc. may be framed.

Our reply is three-fold. An unmitigated or even a liberal right of letting which will •result in re-appearance of landlordism is the source of so many evils and national interest calls for a drastic provision. Secondly, in a country where land is scarce and claimants too many, it cannot be that one man can engage in a non-agricultural avocation and retain his land too, while the other is thrown out or goes without any occupation at all. Thirdly, there is no real necessity to permit a peasant to let out the land at all. If he goes out of his village in search of a more remunerative occupation for any length of time, he can put it under trees or a grove. In the event of mere temporary sojourns there is no reason why he should not engage hired labour. To allow him to sub-let merely on the off-chance that he may some day come back to his land would mean robbing a impecunious Peter to pay an adventurous Paul.

The apprehension that prohibition of letting will tend to reduce the supply of labour to the factories is baseless. Our villages (as also our towns) are reeking with unemployment and under-employment; there are so many persons who are landless and so many uneconomic farmers and the industrial wages and incomes are always so much higher than agricultural wages and incomes. Nor is complete prohibition administratively un-enforceable, for it is in the interest of parties other than the lessor, *viz.*, the lessee in the case of *bhumidhari* land and the Land Management Committee in the case of *sirdari* land, to see that the law-breaker does not get away with it.

Finally, the suggestion that there should not be complete prohibition of letting stems from, an dis consistent with, the view that landlords should be allowed to resume land from tenants for pesonal cultivation. The decision of Uttar Pradesh Government, on the other hand, that there should be a complete prohibition of letting in the future stems from, and is consistent with, its primary decision that all tenants, even if they are tenants of home-farm lands, sub-tenants and also so-called trespassers, should be granted full security of tenure, that is granted permanent and heritable rights and brought into direct relationship with the State. The decision of the Uttar Pradesh Government is more in consonance with the long-cherished slogan, "Land to the Tiller of the Soil".

(iii) ABOLITION OR REDUCTION OF LAND REVENE U

The third criticism that is usually advanced is that land revenue should have been abolished and, instead, agricultural income-tax charged, just as in the case of non-agriculturists who pay nothing to the State unless their income exceeds a certain limit, or that, as second best, land revenue of *sirdars* should be reduced to the level of hereditary rates sanctioned at the time of the last settlement and those who possess land less than 3.125 acres or five standard *bighas* in extent exempted altogether.

It must be admitted that the critics have a case which has an economic, rather a psychological appeal, but it will founder on the bed-rock of practical statesmanship. There is lack of non-agricultural resources in the country which could be taxed. We cannot, therefore, even if we would, write off land revenue and shift to a system of taxation of the agricultural income which is beyond a certain minimum. That would leave the State Exchequer much empty and many a development work, whether in the sphere of education, health, roads, irrigation or any other, will have to be closed. Land revenue is gradually, that is, as every year passes, becoming a smaller and smaller proportion of the entire revenue receipt of the State, and when Government, constituted of whatever political party it may be, will be able to do without land revenue, the opportunity will be seized without delay.

STATEMENT

(Figures are in thousands)

Year	Total Revenue Receipts	Share of Central Taxes	Total of columns 2 and 3	Land Revenue	Percentage of col. 5 to col. 4
1	2	3	4	5	6
1937-38	12,33,78	18,76	12,52,54	5,87,40	46.9
1938-39	12,80,00	22,50	13,02,50	5,81,68	44·6
1939-40	13,52,09	41,85	13,93,94	5,87,96	42·1
1940-41	14,65,11	62,40	15,27,51	6,19,46	40·5
1941-42	16,49,98	1,10,85	17,60,83	5,97,15	33·9
1942-43	20,45,61	1,63,50	22,09,11	6,51,29	29·4
1943-44	24,25,80	2,92,50	27,18,30	6,68,48	24·5
1944-45	27,47,00	3,98,40	31,45,40	6,98,30	20·9
1945-46	29,95,42	4,31,25	34,26,67	6,75,99	19·7
1946-47	32,64,99	4,48,05	37,13,04	6,81,82	18·9
1947-48	38,75,72	5,65,06	44,40,78	6,91,39	15·5
1948-49	49,20,37	8,84,02	58,04,39	6,75,51	11·6
1949-50	56,27,24	8,69,06	64,96,30	6,62,36	10·1
1950-51	51,89,35	8,52,84	60.42,19	7,72,34	12·7
1951-52	55,57,38	9,41,58	64,98,96	7,58,45	11·6
1952-53	61,90,98	12,76,13	74,67,11	11,61,03	15·5
1953-54	75,63,86	12,66,96	88,30,82	20,16,93	22·8
1954-55	78,19,24	12,39,83	90,59,07	19,69,12	21·7
1955-56	83,36,46	12,74,07	96,10,53	21,01,91	21·8
1956-57 (B.E.)	85,35,60	12,59,68	97,95,28	22,04,24	22·5

It is only since the abolition of Zamindari in 1952-53, that the proportion has gone up, because the rents hitherto realizable by the zamindars are being received in the exchequer direct.

This increase is, however, unreal as it has to be set off *inter alia*, by the amount of compensation and rehabilitation grant, nearly eight crores of rupees, that the State will be paying to the ex-intermediaries yearly for more than three decades (four crore compensation per annum for 40 years and four crore rehabilitation grant per annum for 25 years), the amount of compensation payable to the landlords of erstwhile tenants of home-farm lands and sub-tenants, the amount of reduction in agricultural income-tax brought about as a consequence of abolition of Zamindari and the amount of expenditure that will have to be incurred on administration of bonds and collection of land revenue. The increased land revenue during the last three or four years also includes an amount of more than one crore from lands which were going unassessed hitherto.

Secondly, in our conditions where the vast percentage of people possess land and, in view of the leeway in development of the country that we have to make up, everybody is expected to contribute his mite towards the exchequer, the extent of land a man possesses is, but a fair basis or yard-stick of a man's contribution.

Thirdly, the present rates are not high by any standard. The rates in the case of *sirdars* are those which have been payable by them as tenants from before Zamindari abolition and were in the vast bulk of taxes fixed during the pre-war period.

An idea of the distribution of land among the various important classes of tenants before the abolition can be gained from the following which has been culled from the Revenue Administration Report of 1950-51 :

Kinds of Tenure	*Percentage of area held*
(1) Fixed rate tenants	2.64
(2) Ex-proprietary tenant	2.71
(3) Occupancy tenants	36.20
(4) Hereditary tenants	58.45

It will be seen that hereditary tenants held the largest area in the State. The law in regard to them originally was that their rents could be fixed according to a contract between the zamindars and the tenants themselves. During settlement operations, however, undertaken between 1936 and 1944, these rents were revised throughout the State under section 87 of the U. P. Land Revenue Act, except in a few districts or parts of districts. The revised rents were based upon one-fifth of the produce value, calculated at the prices prevailing in 1901–05 [*vide* section 110 (2) of the U. P. Tenancy Act]. The present prices are about four times the prices of 1901–05, and thus the land revenue of the *sirdars,* who were hereditary tenants formerly, is about one-twentieth of the produce value to-day. The rents contracted between 1945 and 1952 certainly took into account the prevailing prices and were higher. But, as already stated, it has been provided that any rent, which is more than double the valuation at hereditary rates, would be reduced to that level, with the result that even the high rents are now not more than one-tenth of the produce value of the land at present prices.

As regards the erstwhile occupancy tenants, the latest year in which their rents were contracted was 1921 (1328 Fasli). In the bulk of cases, however, these rents are continuing since 1873. Even so, during the last settlement operations, the occupancy rents were also modified on the basis of what were called "standard rates", which were always 10 to 25 per cent below the hereditary rates.

The ex-proprietary rents were still less; they were fixed at standard (occupancy) rates minus 12½ per cent, according to section 101 (1) (*b*), of the U. P. Tenancy Act.

The rents of the fixed-rate tenants also were very low: they were fixed at the time of the Permanent Settlement in the last decade of the eighteenth century and were never enhanced.

It was stated in the First Five-Year Plan and reaffirmed in the Second Plan, that a rate of rent exceeding one-fourth or one-fifth of the produce should be regarded as requiring special justification, and all rents should be brought down to that level. The level of rent or revenue payable to the State in Uttar Pradesh is, however, much lower, *viz.*, Rs.2.4 per acre on the average in the case of a *bhumidhar* and Rs.5.4 in the case of a *sirdar*. The State Government does not intend to increase it.

Lastly, there can be no exemption of small holdings, say, those below 3.125 acres, for the additional reason, that there being no legal restraint—and, in the context of our economy, perhaps there can be none to-day—on partition of bigger holdings, small holdings will continue to come into existence in the future also. As it is, the total area of those holdings to-day is quite high. Exemption of these holdings will mean writing off several crores of revenue, which amount will go on increasing as time passes. The exemption itself will lead to fictitious partitions of land in order to evade payment of land revenue. This loss could not be made good from other sources.

(iv) LAND REDISTRIBUTION

The fourth and most serious objection that is advanced is that the reforms do not provide for a ceiling on the size of existing holdings and redistribution of the surplus land that will be available. It is true that, given equal facilities, large holdings do not produce as much per acre as, rather they produce less per acre than, small holdings; that, inasmuch as they are usually mechanized, they do not provide as much employment per acre as small holdings operated with bullock-power; that, supply of land in relation to persons seeking it being so limited, a ceiling on existing holdings is a measure dictated by the ideal of a socialistic pattern of society which we have set for ourselves; and finally, that small economic units conduce to better working of democracy. None can, therefore, have any quarrel with the demand for land redistribution. That is the theory: let us now look at the facts. Is there any surplus land available in such extent in Uttar Pradesh as will justify the cost of trouble involved ?

The following table, based on the Census Report of 1951, shows the percentage of cultivators and agricultural labourers to the entire population, that of labourers to cultivators and that of landless agriculturists (agricultural labourers being not all necessarily landless) to agricultural landholders (including those whose principal occupation is non-agricultural, but who had some permanent and hereditary right in agricultural land) :

Serial no.	Name of State	Percentage to Total Population		Percentage of col.4 to col. 3	Percentage of landless agricultural labourers to agricultural landholders
		Cultivators	Agricultural labourers		
1	2	3	4	5	6
1	Assam	70·7	1·7	2·4	23·2
2	Uttar Pradesh ..	67·4	5·7	8·4	16·1
3	Rajasthan ..	66·2	3·1	4·6	54·4
4	Orissa	65·4	12·4	18·9	27·1
5	Bihar	63·6	21·9	34·4	51·0
6	Madhya Bharat ..	60·6	10·7	17·7	39·7
7	Pepsu	60·0	6·8	11·2	19·0
8	Mysore	60·2	10·3	17·1	..
9	Punjab	54·9	7·7	14·0	..
10	Madhya Pradesh ..	54·0	20·4	37·7	41·3
11	Bombay	50·4	9·1	18·0	38·3
12	Hyderabad ..	48·6	17·2	35·3	50·7
13	Madras	44·5	18·2	40·9	71·4
14	West Bengal ..	44·3	12·3	27·7	68·9
15	Saurashtra ..	41·1	3·8	9·2	..
16	Travancore-Cochin ..	33·4	20·2	60·4	78·2

It would appear that in Assam, Uttar Pradesh, Rajasthan, Orissa, Bihar, Madhya Bharat and Mysore the cultivators form more than 60 per cent of the population and in Bihar, Madhya Pradesh, Travancore-Cochin, Madras and Hyderabad the agricultural labourers form more than 17 per cent of the population. In the latter States the percentage of agricultural labourers to the cultivators shown in column no. 5 is very high, indeed.

It is evident that the programme of fixation of a ceiling on existing holdings and distribution of the surplus land should have a high place on the agenda of some of the States whereas it can have, if at all, a very low priority, indeed, in others. (It will not be out of place to mention here that the large holdings in States other than Uttar Pradesh include land which is already in the occupation of tenants-at-will. If permanent rights are conferred on these tenants as they have been in our State, there will, perhaps, be little or no excess land left and the problem of land redistribution would have been largely solved in many of the State.)

The percentage of landless agriculturists to agricultural land-holders is the smallest in Uttar Pradesh (it being largest in Travancore-Cochin). But deducting from the number of these two categories all those who hold land, but carry on agriculture merely as a subsidiary occupation to agricultural labour or a non-agricultural avocation, Uttar Pradesh is seen also to possess, next to Assam, the highest percentage of cultivators and, next to Assam and Rajasthan, the lowest percentage of agricultural labourers to cultivators in the country.

Further, as the following table taken from the Census Report of 1951 would show, the figure for cultivated land per average family is the lowest in Uttar Pradesh (North India being synonymous with this State):

Region	Population dependent on agriculture (in millions)	Cultivated area (in million acres)	Cultivated land per capita (in acres)	Cultivated land per average family (in acres)
1	2	3	4	5
North India	47	48	1·01	4·8
East India	68	86	1·25	6·3
South India	49	57	1·17	5·7
West India	24	54	2·29	11·7
Central India	38	99	2·57	11·9
North-West India ..	33	59	2·59	13·1

The question that arises is whether it will be in the interest of the State to put more persons on land. That agriculture is the basic industry; that in order that we may produce food sufficient to feed our teeming and increasing millions; that we may provide employment for them and that democracy may prosper, we will have to build and maintain an economy of small peasant-proprietors; that the principle of social justice demands that there shall not be a single person who holds what we may consider to be a large holding, are conceded. But does all this mean that we envisage a society which will all consist of peasants? Are there any rules, solutions or principles other than those of mathematics, particularly in the administrative and sociological field, that are absolute, that have to be enforced irrespective of related and relevant circumstances and admit of no modification or exception? In an integrated picture we will have to make an allowance for many a consideration, apart from what pure theory in an isolated field may dictate.

As every economist knows, the larger the percentage of a country's population that depends on agriculture, the greater its poverty and the lower the living standards of its people. If taxation is any guide to the economic condition of a region or country, as it should be in any democratic set-up, the *per capita* tax revenue of the various States in India given in the following table would also point to the same conclusion:

Name of State	Percentage of agricultural population to the total (1951)	Per capita tax revenue in rupees (1953-54)
Bihar ..	86·1	4·21
Orissa ..	79·3	3·67
Madhya Pradesh	76·6	5·69
Uttar Pradesh	74·2	5·98
Assam ..	73·3	6·69
Madras ..	64·9	6·29
Punjab ..	64·7	6·66
Bombay ..	61·5	10·21*
West Bengal	57·2	8·14

---

*Unduly high *per capita* tax revenue in Bombay is due to *per capita* income from Sales Tax, *viz.*, 4.41 as compared to the average of 1·90 for all the States, and 2·47 for West Bengal. If it is reduced to the average figure for all the States or the figure for Madras, the *per capita* tax revenue for Bombay will fit in exactly as it should.

That there are more than 7.5 lakh families of landless persons in the State should, therefore, urge us on to establish industries rather than to think of the seemingly easy method of redistribution of land. It was the problem of the excluded heirs that is regarded as one of the causes of German industrialization. The State Government and the Union Government are likely to sleep over the people's poverty if all those who are landless, but work on the land, or are unemployed to-day are tied up to land. The word "tie" has been used because there is a strange attraction in land, there is a call of the land just as there is a call of the sea. For although there are bad years, the land never disillusions the holder completely, and hope for plenty in the future always remains.

The following table gives the comparative figures of the percentage of cultivators and the average holding of a cultivating family in some eastern and western districts of Uttar Pradesh :

District	Percentage of cultivators	Cultivated area per cultivating family	Cultivated area per family, were the entire population engaged in agriculture
1. Deoria	87·46	2·97	2·60
2. Bahraich	84·20	4·61	3·88
3. Basti	84·02	3·48	2·92
4. Gonda	80·69	4·15	3·35
5. Gorakhpur	77·99	3·34	2·60
6. Azamgarh	76·28	3·34	2·55
1. Saharanpur	37·52	8·84	3·32
2. Meerut	43·26	5·99	2·59
3. Muzaffarnagar ..	45·53	7·24	3·30
4. Bijnor	47·65	7·89	3·76
5. Aligarh	50·98	6·38	3·26
6. Bulandshahr	56·95	5·60	3·19

It would appear that if the land in these districts is divided on the whole population the difference in the area *per capita* for the various districts is not appreciable. It cannot be disputed that the fact that an overwhelming percentage of population in the eastern districts is engaged in agriculture is one of the reasons for poverty of this area. Deoria, Bahraich and Basti are not going to become districts of plenty if we take away excess land from a few of the big farms that are there and increase the percentage of peasants from 84 or 87 to 100. We have already promoted lakhs of families of non-occupancy tenants of *sir,* or home-farm lands and sub-tenants hitherto called *shikmies* or *adhivasies* (occupants) –and these *adhivasies* were mostly concentrated in eastern districts–who possessed tiny holdings of one acre or two each and who were ejectable at will and, therefore, may in a sense be called landless, to the status of *sirdars* simply because, in the absence of other avenues of employment, their ejectment would have led to social and political problems for the State. The total area under these *adhivasies,* as we have already seen, amounted to 25.5 lakh acres. In other conditions it would have been a mistake to confer permanent rights on these extremely uneconomic or sub-basic holders. In no other State, except, perhaps, Delhi, has security of tenure been conferred on this class of tenantry. (By the way, it seems a bit incongruous on the part of anybody to talk of redistribution of land and, at the same time, deny full security of tenure to existing tenants and allow resumption of land for personal cultivation of the landlord.)

Sometimes speakers and writers on this subject confuse the issue of landless labourers with that of Harijan and Scheduled Castes. The latest census figures prove, however, that in Uttar Pradesh, 60.9 per cent of the Scheduled Castes hold land whether as *bhumidhars* or *sirdars.* The following table gives the comparative livelihood pattern of Scheduled Castes with that of the general population :

Livelihood Class	Population	
	General	Scheduled Castes
All classes	1,000	1,000
All agricultural classes	742	785
I—Cultivators of land	674	609
II—Agricultural labourers and their dependents	57	172
III—Non-cultivating owners of land, agricultural rent receivers and their dependents ..	11	4
All non-agricultural classes (including dependents)	258	215
IV—Production	84	55
V—Commerce	60	9
VI—Transport	14	9
VIII—Other services and miscellaneous sources ..	110	142

Let us now consider the extent of the area that will be available for redistribution. It will be very small, indeed. The table on the next page shows the category-wise details of these holdings and their area based on the figures of Agricultural Income-tax Statement for the income year 1362 Fasli (1954-55).

Statement showing category-wise details of holdings and area above 30 acres based on the figures of A. I. T. statements for the income year 1362 Fasli

Name of Commissioner's Division	CATEGORY I		CATEGORY II		CATEGORY III		CATEGORY IV		CATEGORY V	
	(30—35 acres)		(35—40 acres)		(40—45 acres)		(45—50 acres)		(50—75 acres)	
1	2	3	4	5	6	7	8	9	10	11
	Number of holdings	Area	Number of holdings	Area	Number of holdings	Area	Number of holdings	Area	Number of holdings	Area
1. Meerut ..	1,092	35,015	728	27,344	606	25,744	405	19,310	968	57,586
2. Agra ..	742	24,245	522	19,382	363	15,384	242	11,420	539	32,126
3. Bareilly ..	146	4,753	129	4,836	127	5,421	161	7,722	437	26,635
4. Allahabad	78	2,536	55	2,062	71	3,053	58	2,620	219	12,728
5. Jhansi ..	424	14,126	231	8,761	247	10,661	306	14,907	1,079	77,562
6. Varanasi	155	4,991	105	3,979	79	3,340	91	4,312	266	15,233
7. Gorakhpur	177	5,731	173	6,526	171	7,271	183	8,753	513	31,372
8. Naini Tal	61	1,979	34	1,298	37	1,573	38	1,854	58	3,617
9. Lucknow	421	13,777	357	12,291	248	10,627	233	10,692	607	37,352
10. Faizabad	442	14,233	377	14,133	297	12,816	288	13.754	688	41,274
Total ..	3,738	1,21,386	2,711	1,00,612	2,246	95,965	1,995	95,344	5,374	3,35,485

Statement showing category-wise details of holdings and area above 30 acres based on the figures of A. I. T. statement for the income year 1362 *Fasli*

Name of Commissioner's Division	CATEGORY VI (75—100 acres)		CATEGORY VII (100—250 acres)		CATEGORY VIII (250—500 acres)		CATEGORY IX (500—1000 acres)		CATEGORY X (over 1000 acres)		Total	
1	12	13	14	15	16	17	18	19	20	21	22	23
	Number of holdings	Area	Number of holdings	Area	Number of holdings	Area	Number of holdings	Area	Number of holdings	Area	Number of holdings	Area
1. Meerut ..	255	21,607	216	30,878	39	13,015	8	5,458	4	5,767	4,321	2,41,754
2. Agra ..	159	13,762	119	16,446	14	4,607	3	1,726	4	17,815	2,707	1,56,913
3. Bareilly ..	276	24,157	455	68,365	115	38,849	43	29,135	28	46,089	1,917	2,55,962
4. Allahabad	123	9,282	111	15,029	13	3,990	6	4,024	2	6,921	736	62,245
5. Jhansi	489	18,948	617	1,01,189	78	25,399	16	10,820	3	5,314	3,490	2,87,687
6. Varanasi	152	13,306	290	43,008	40	14,061	18	13,476	3	3,993	1,199	1,19,699
7. Gorakhpur	282	24,445	354	52,497	67	24,043	23	14,879	12	21,933	1,955	1,97,450
8. Naini Tal	43	3,902	77	12,157	52	18,342	27	17,629	15	25,665	442	88,016
9. Lucknow	272	23,400	385	59,135	85	28,223	48	34,349	15	29,023	2,661	2,58,914
10. Faizabad	223	19,763	377	55,001	77	25,876	29	20,354	8	14,799	2,806	2,32,003
Total ..	2,274	1,72,572	3,001	4,53,705	580	1,96,405	221	1,51,850	94	1,77,319	22,234	19,00,643

Owing to inferiority of soil, two acres in Jhansi Division, trans-Yamuna tracts of Mathura, Agra and Etawah districts and parts of Mirzapur District, have always counted as one acre for purpose of valuation. Assuming that out of 1,079 holdings falling in the category of 50–75 acres in Jhansi Division, half belong to the 50–60 acre group with an average area of 54 acres each, we are left with 20,487 large holdings in the entire State with an area of 17,17,956 acres in the aggregate, of which those of more than 50 acres number 9,976 and have an acreage of 13,19,515. Figures of large holdings for areas other than Jhansi Division mentioned above are not separately available. We are, therefore, proceeding on the basis of figures which err on the high side.

With regards to the question of breaking up of holdings, the Committee appointed by the Land Reform Panel of the Planning Commission to report on the Size of Farms suggested that a farm which yielded a gross average income of Rs.1,600 or a net income–including remuneration for family labour–of Rs.1,200 and is not less than a plough unit, that is, an area of land which an average family could cultivate with a pair of bullocks, or its multiple in area, may be considered as a family holding; that the limit for the ceiling should be three family holdings for an average family in which the number of members does not exceed five; and that one additional family holding should be allowed for each additional member subject to a maximum of six family holdings. A family will be deemed to include husband, wife and dependent sons, daughters and grand-children.

Still further, according to the Planning Commission, "there would appear to be an advantage in exempting the following categories of farms from the operation of ceilings which may be proposed :

(1) tea, coffee and rubber plantations ;

(2) orchards where they constitute reasonably compact areas ;

(3) specialized farms engaged in cattle breeding, dairying, wool raising, etc. ;

(4) sugarcane farms operated by sugar factories ; and

(5) efficiently managed farms which consist of compact blocks, on which heavy investment or permanent structural improvements have been made and whose break-up is likely to lead to fall in production."

In U. P., for purposes of calculating agricultural income-tax, Government assumes that an acre of land of average quality yields a net income of Rs.75 per year, which means that three family holdings will consist of 48 acres or roughly 50 acres. Mechanized farms of 50 acres or more in the State in 1954-55 numbered 2,088 and had an area of 4,01,871 acres in the aggregate. Taking that these farms will qualify for exemption and there are no unmechanized farms or plantations of other categories in the State, we are left with 7,888 holdings with an area of 9,17,644 acres, from which surplus land can be available for distribution. Assuming that there are no families in the State which comprise more than five persons the surplus area will amount only to 5,23,156 acres. It will be seen that, owing to assumptions we have made, this figure again errs on the high side.

For how many will this land suffice? The Planning Commission are of the view that in the settlement of lands, acquired in consequence of the application of ceilings, tenants displaced as a result of resumption of land for personal cultivation, farmers with uneconomic holdings and landless workers should receive preference. The State law does not provide for resumption of land for personal cultivation ; so, the first category does not exist in Uttar Pradesh. Shall we distribute the land to the landless ? If we do so at the rate of, say two acres each, we may certainly be able to provide for a considerable number, *viz.*, 2,61,578. But we should beware. Division of land in small plots to a large number of landless people or poor peasants will help bring about an uneconomic organization of agriculture and accentuate the already bad agrarian conditions. The resultant situation is more susceptible to introduction of large-scale production—the derelict new peasant proprietors submit more readily to a policy of collectivization.

"As a result of land distribution", says Sri V. N. Thapar, Secretary to Government of India, in his report on the impressions of his tour to China, "most of the farmers in China had less than one acre of land and most of them did not possess any draught animal or good plough and since the State promised them generous assistance if they joined a co-operative farm, there was enthusiasm among the farmers for doing so."

Let us hope, however, we will not play the game of those who use "Land Redistribution" as a cover for virtual confiscation of land by the State and liquidation of private holdings.

We should, therefore, divide this land in economic lots so that the new settlers may be able to maintain a reasonable standard of living—"reasonable" in the context of existing overall economic conditions of the country. According to the nature of the soil, irrigation facilities and other factors, the size of an economic holding, i.e. a holding that will keep two persons that an average family can provide and two bullocks which, in our conditions, constitute the minimum agricultural equipment, fully engaged throughout the year, will vary between 6.25 and 12.5 acres. So that assuming that an economic holding will stand at the mean figure of 9.375 acres, the surplus land that will be available in Uttar Pradesh will suffice only for 55,800 persons or families. On income basis, however, adopted by the Planning Commission, a family holding should have an area of 16 acres. If the available area is distributed in units of such holdings, only 32,700 families will be provided. There are already 8.9 million peasant families in the State.